

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOSEPH SCLAFANI, MICHAEL FEINSTEIN,  
and BRET CAPPOLA,

Plaintiffs,

CAROL A. MICI, in her official capacity as  
Commissioner of the Massachusetts Department  
of Correction, DOUGLAS DEMOURA, in his  
official capacity as Superintendent of MCI-Cedar  
Junction, and STEVE SILVA, in his official  
capacity as Superintendent of MCI-Norfolk,

Defendants.

C.A. No. 19-12550-LTS

**NOTICE OF SETTLEMENT AND JOINT MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiffs Joseph Sclafani, Michael Feinstein, and Bret Cappola and Defendants Carol A. Mici, in her official capacity as Commissioner of the Massachusetts Department of Correction; Douglas DeMoura, in his official capacity as Superintendent of MCI-Cedar Junction; and Steve Silva, in his official capacity as Superintendent of MCI-Norfolk (collectively, “Defendants”), hereby provide notice of settlement and move to dismiss this action as to the Defendants without prejudice, on the condition that the Court retain jurisdiction through December 31, 2020 to enforce the agreement, if necessary.

WHEREFORE the parties request the following:

1. That the Court retain jurisdiction through December 31, 2020 to enforce the settlement agreement, if necessary; and
2. Should the above provision be acceptable, that the Court dismisses the Complaint without prejudice.

Dated: February 28, 2020

Respectfully submitted,

Nancy Ankers White  
Special Assistant Attorney General

By: /s/ Philip W. Silva  
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**CERTIFICATE OF SERVICE**

I, Alexandra D. Valenti, certify that this document filed through the CM/ECF system will be served on February 28, 2020 electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and by first-class mail, postage prepaid on those identified as non-registered participants.

*/s/Alexandra D. Valenti*  
Alexandra D. Valenti